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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID LINDON HARPINE,

Civ. No. 07-1882-TC

Plaintiff,

ORDER

v.

IGNACIO DE LAS HERAS, et al.,

Defendants.

Aiken, Chief Judge:

Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned action on June 15, 2009. Magistrate Judge Coffin recommends that defendants' motion for summary judgment be granted. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v.

Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Plaintiff has filed timely objections to the Findings and Recommendation. Upon de novo review of Magistrate Coffin's findings and recommendation, I find no error. Plaintiff fails to present evidence supporting his claim that defendants were deliberately indifferent to his medical needs.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 72) filed June 15, 2009, is ADOPTED and defendants' Motion for Summary Judgment (doc. 50) is GRANTED.

IT IS SO ORDERED.

Dated this 9 day of September, 2009.



Ann Aiken

Chief United States District Judge